

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) 8:05CR335
v.)
)
TAUVAA A. WILLIAMS,)
)
Defendant.)
)
_____)

Defendant has filed a motion challenging under the Fourth Amendment the sufficiency of an affidavit submitted for the issuance of a search warrant. However, neither the warrant nor the application and affidavit has been filed. Since the challenge is to the facial sufficiency of the document, an evidentiary hearing is unnecessary unless for some reason the assertions therein are challenged under Franks v. Delaware, 438 U.S. 154 (1978).

IT THEREFORE HEREBY IS ORDERED,

Defendant is given until the close of business September 21, 2005 to file the application, affidavit, and warrant which are the subjects of the motion.

DATED this 13th day of September, 2005.

BY THE COURT:

s/ *David L. Piester*
David L. Piester
United States Magistrate Judge